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10/025,550	12/26/2001	Katsuhiko Suzuki	H07-138280M/NHK	8312

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McGinn & Gibb, PLLC

Suite 200

8321 Old Courthouse Road

Vienna, VA 22182-3817

EXAMINER

NOTE, JANIS L

ART UNIT

PAPER NUMBER

1756

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/025,550

Applicant(s)

SUZUKI ET AL.

Examiner

Janis L. Dote

Art Unit

1756

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 11-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

1. A request for continued examination (RCE) under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants' submission filed on Feb. 23, 2004, has been entered.

2. The examiner acknowledges the replacement drawings filed in the amendment on Nov. 24, 2003, which was entered upon the filing of the RCE. The examiner also acknowledges the amendments to claims 1-10 filed on May 12, 2004 (Amdt051203). Claims 1-20 are pending.

The amendments to the claims filed on Nov. 24, 2003, were not in compliance with 37 CFR 1.121 for the reasons discussed in the "Notice of Non-Compliant Amendment" mailed on Apr. 13, 2004. Accordingly, the amendments to the claims on Nov. 24, 2003, have not been entered.

3. Claims 11-20, submitted after the first office action in the amendment filed on Jun. 6, 2003, are directed to an

invention that is independent or distinct from the invention originally claimed for the reasons set forth in the office action mailed on Aug. 22, 2003. Because applicants had received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 11-20 were withdrawn from consideration as being directed to a non-elected invention in the office action mailed on Aug. 22, 2003. See 37 CFR 1.142(b) and MPEP § 821.03.

Applicants' reply filed on Nov. 24, 2003, did not distinctly and specifically point out the supposed errors in the restriction requirement. Thus, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 11-20 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on Nov. 24, 2003.

4. The drawings were received on Nov. 24, 2003. These drawings are acceptable.

5. The rejections of claims 3, 4, 6-8, and 10 under 35 U.S.C. 112, second paragraph, set forth in the office action mailed on Aug. 22, 2003 (CTFR082203), paragraph 6, have been withdrawn in response to the amendments to claims 3, 4, 6-8, and 10 filed in Amdt051204.

The rejections of claims 3 and 7 under 35 U.S.C. 112, first paragraph, set forth in CTFR082203, paragraph 8, have been withdrawn in response to the amendments to claims 3 and 7 filed in Amdt051204.

The objections to claims 5 and 9 set forth in CTFR082203, paragraph 9, have been withdrawn in response to the amendments to claims 5 and 9 filed in Amdt051204.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 6 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6 and 10 are indefinite in the phrase "magnetic developing agent comprises a magnetic carrier that includes one of iron-powder-system carriers, ferrite-system carriers and magnetite-system carriers" (emphasis added) because it is not clear whether applicants intend for the magnetic carrier to include all three system carriers, or only one.

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 1-10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

(1) Claims 1 and 2 recite a two-component magnetic developing agent "including toners and magnetic carriers." The

originally filed specification does not provide an adequate written description of said magnetic developing agent as now recited in the instant claims. Throughout the originally filed specification is disclosed the use of a two-component magnetic developing agent "consisting mainly" of toners and magnetic carriers. See the specification, for example, page 8, lines 14-15, page 9, lines 4-6, page 10, lines 1-2, and page 13, lines 9-10. The claim language "including toners and magnetic carriers" is broader than the originally filed language "consisting mainly of toners and magnetic carriers" because it includes magnetic developing agents that do not mainly comprise toners and magnetic carriers, but comprise other ingredients in amounts greater than the toners or magnetic carriers.

(2) Claims 1 and 2 recite that the shape coefficient SF2 is selected to provide a desired toner fluidity between the first and second developing rollers. The originally filed specification does not provide an adequate written description of such a selection. The originally filed specification at page 20, line 23, to page 21, line 10, discloses that "when the toners pass through the developing agent distributing member 8 and through between the developing rollers 61, 62, due to the poor fluidity of the toners, the stress to be applied to the

developing agent becomes excessively large . . . in the case where stress becomes excessively large, the spent [toners fused and adhered to the magnetic carrier surfaces] occurrence speed increases." The specification at page 21, lines 5-9, discloses that large toner spend gives rise to the occurrence of photographic fog. In other words, the specification appears to disclose that the "poor fluidity of the toner" increases the "stress" applied to the developing agent as the developing agent passes through the "developing agent distributing member 8 and through between the developing rollers 61, 62" (emphasis added), which thereby increases toner spent. The specification does not disclose that toners have a "desired fluidity" between the first and second developing rollers" as recited in instant claims 1 and 2.

(3) Claims 4 and 8 recite that the peripheral speed ratio  $S_2$  in the range from 1.1. to 1.9. The originally filed specification does not provide an adequate written description of such a range of  $S_2$ . The originally filed specification discloses that the peripheral speed ratio  $S_2$  is "set in the range of 1.05 - 2.0." See the specification, page 8, line 24, to page 9, line 3, page 10, lines 10-15, and page 17, lines 23-25. The specification at page 17, line 25, discloses



that the peripheral speed "S1" is in the range of 1.1 to 1.9, not the peripheral speed S2.

(4) Claims 5 and 9 recite that the toners "comprise particles having diameters of 6-12  $\mu\text{m}$ ." The originally filed specification does not provide an adequate written description of such particles. The originally filed specification at page 18, lines 7-8, discloses that the "average particle diameter of the toners may be in the range of 6-12  $\mu\text{m}$ " (emphasis added). The recitation "particles having diameters of 6-12  $\mu\text{m}$ " as recited in the instant claims is broader than the disclosed toner because it include, not only toner particles, but particles that are not toner particles. In addition, the recitation "diameters of 6-12  $\mu\text{m}$ " is broader than the disclosed average diameter of 6-12  $\mu\text{m}$ , because it includes diameters that are not an average diameter of 6 to 12  $\mu\text{m}$ .

(5) Claims 6 and 10 recite that the "carriers comprise particles having diameters in a range from 50 to 150  $\mu\text{m}$ ." The originally filed specification does not provide an adequate written description of such particle diameters. The originally filed specification at page 19, lines 18-20, discloses that the "average particle diameter of the carriers may be set in the range of 50-150  $\mu\text{m}$ " (emphasis added). The recitation "particles

having diameters in a range of 50-150  $\mu\text{m}$ " as recited in the instant claims is broader than the disclosed carrier because it include, not only carrier particles, but particles that are not carrier particles. In addition, the recitation "diameters in a range of 50-150  $\mu\text{m}$ " is broader than the disclosed average diameter of 50-150  $\mu\text{m}$ , because it includes diameters that are not an average diameter of 50 to 150  $\mu\text{m}$ .

Applicants' arguments filed on Nov. 24, 2003, have been fully considered but they are not persuasive.

Item (1). Applicants assert that the examiner has "incorrectly read the term 'mainly' in the specification as describing an amount or quantity of toner and carriers." Applicants assert that the phrase "consisting mainly of toners and magnetic carriers" disclosed in the specification refers to "magnetic developing agent where the "toner and magnetic particles are not necessarily the most present ingredients in the magnetic developing agent, but may be some of the most important ingredients in the magnetic developing agent" (emphasis in the original).

However, as discussed in the rejection in item (1) above, the originally filed specification discloses a developing agent "consisting mainly of toner and magnetic carrier." As discussed

in the advisory action mailed on Feb. 18, 2004, the term "mainly" is an adverb, which is usually defined as "chiefly; principally; or in the main." See Webster's New World Dictionary, 3<sup>rd</sup> College Edition, page 815. The adverb modifies the term "consisting." The originally filed specification does not state that the developing agent "includes toners and magnetic carriers as main ingredients" as asserted by applicants. Moreover, if the phrase "consisting mainly of toners and magnetic carriers" means that the developing agent comprises toners and magnetic carriers as the "main" ingredients, the limitation "including toner and magnetic carrier" is still broader than the disclosure in the originally filed specification, because it includes developing agents that do not comprise toners and magnetic carriers as "main" ingredients.

Items (3) through (5). Applicants assert that the amendments to claims 4-6 and 8-10 overcome the rejections set forth in items (3) through (5). However, for the reasons discussed in the rejections in items (3) through (5), the amendments do not overcome those rejections, and the rejections stand.

10. The examiner has interpreted the claim language recited in instant claims 6 and 9 as requiring that the magnetic carriers comprise iron-powder-system carriers, ferrite-system carriers, or magnetite-system carriers. Rejections based on the examiner's interpretation are set forth infra.

11. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

12. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,923,933 (Anzai) combined with Japanese Patent 2000-267338 (JP'338). See the DERWENT English-language translation of JP'338 for cites.

Anzai discloses an image forming method comprising the steps of: (1) developing an electrostatic latent image formed on an image carrier 1 with a two-component developer comprising a toner and magnetic carrier; (2) transferring the toner image onto a recording medium; and (3) fixing the transferred toner image to the recording medium using the fixing device 25. See Fig. 1, col. 4, lines 27-34, and col. 4, line 56, to col. 5, line 5. Anzai at col. 8, lines 4-10, discloses that the fixing device 25 is composed of a heated roller 27 and a back-up

pressing roller 26 to fix the toner image transferred to a paper sheet. In other words, Anzai's fixing device 25 uses heat and pressure to fix a toner image on a recording material, such as paper.

In Anzai's method, the electrostatic latent image is developed by a first developing roller 61 and a second developing roller 62 rotating in directions opposite to each other. The first developing roller 61 moves in a direction opposite to the image carrier 1, and the second roller 62 moves in the same direction as the image carrier 1. Anzai discloses that when the ratio of circumferential (or peripheral) speed  $S_1$  of the first developing roller 61 to the circumferential speed of the image carrier is set to 1.5, the ratio of the circumferential speed of the second roller to the image carrier  $S_2$  is in the range of 1.5 to 5.0 to obtain an "allowable image." Col. 12, lines 23-27. The ratio  $S_1$  of 1.5 and the lower limit of the ratio  $S_2$ , 1.5, are within the ranges of 0.8 to 2.0 and 1.05 to 2.0, respectively, recited in instant claims 1 and 2, and are also with the ranges recited in instant claims 3 and 7 and claims 4 and 8, respectively.

Anzai discloses that the magnetic carrier in the two-component magnetic developer may be a ferrite or a magnetite

carrier. Col. 9, lines 29-30. Both ferrite magnetic carriers and magnetite magnetic carriers meet the compositional limitation recited in the instant claims 6 and 10. Anzai further teaches that the magnetic carriers have a volume average particle size of 70 to 120  $\mu\text{m}$ . Col. 9, lines 30-31.

Anzai does not disclose magnetic carrier comprising particles having diameters ranging from 50 to 150  $\mu\text{m}$  as recited in instant claims 6 and 10. However, as discussed above, Anzai teaches that its carriers have a volume average particle size of 70 to 120  $\mu\text{m}$ . The volume average particle size is usually defined as the sum of a number of particular particle diameters, each multiplied by the volume of particles having said particular particle diameter, divided by the total volume of particles. In other words, the volume average particle size is determined by particles having particle sizes greater than or less than the average particle size. Particle diameters of 50 and 150  $\mu\text{m}$  are less than or greater than the average particle sizes of 70 and 150  $\mu\text{m}$ . Thus, because Anzai teaches that its magnetic carriers have a volume average particle size of 70 to 120  $\mu\text{m}$ , it is reasonable to presume that Anzai's magnetic carriers have particle diameters ranging from 50 to 150  $\mu\text{m}$ . The

burden is on applicants to prove otherwise. In re Fitzgerald,  
205 USPQ 594 (CCPA 1980).

Anzai does not disclose the use of a toner having the shape coefficients SF1 and SF2 as recited in instant claims 1 and 2. Anzai discloses that "the toner used is a toner containing a resin, a coloring material, a charging control material and so on and having a volume average particle size of 5 to 12  $\mu\text{m}$ ." Anzai teaches that toners having said particles are capable of providing a "high resolution print above 16 lines per mm." Col. 9, lines 52-60.

JP'338 discloses a toner having shape coefficients SF1 and SF2 of 148 and 123, respectively, which are within the ranges of 120 to 170 and 110 to 130, respectively, recited in instant claims 1 and 2. See toner 1 at paragraphs 0058-0060, and Table 1 at paragraph 0075. The toner has a volume average particle size of 8.0  $\mu\text{m}$ . See paragraph 0059. The volume average particle size of 8.0  $\mu\text{m}$  is within the range of 5 to 12  $\mu\text{m}$  taught by Anzai. JP'338's toner comprises a polyester binder resin, a wax, and colorant. JP'338 teaches that the toner may further comprise a charge control agent to adjust the electrification of the toner. Paragraph 0048. JP'338 discloses that its toner can be used in a two-component developer

comprising a magnetic carrier. Paragraphs 0052-0053.

Accordingly to JP'338, its toner has superior powder characteristics, such as storage stability, and good offset resistance. Paragraphs 0007 and 0076. JP'338 further discloses that its toner can be fixed without the use of a releasing oil. Paragraph 0054. JP'338 discloses that when the releasing oil evaporates, an unpleasant smell may be given off or it may contaminate the inside of the imaging apparatus.

Paragraph 0004, lines 29-32. Furthermore, JP'338 teaches that "according to the electrophotographic toner of this invention, when treated in a copying machine as a powder, there is no problem in the fluidity [of the toner]." Paragraph 0012, lines 1-4. In other words, JP'338 teaches that its toner does not aggregate or stick to the components of the apparatus.

JP'338 does not disclose that its toner 1 comprises particles having diameters of 6-12  $\mu\text{m}$  as recited in instant claims 5 and 9. However, as discussed above, JP'338 discloses that its toner 1 has a volume average particle size of 8  $\mu\text{m}$ . For the reasons discussed regarding the particle size of the magnetic carriers, supra, the volume average particle size is determined by particles having particle sizes greater than or less than the average particle size. Particle diameters of 6



and 12  $\mu\text{m}$  are less than or greater than the volume average particle size of 8  $\mu\text{m}$ . Thus, because JP'338's toner 1 has a volume average particle size of 8  $\mu\text{m}$ , it is reasonable to presume that JP'338's toner 1 comprises particles having particle diameters ranging from 6 to 12  $\mu\text{m}$ . The burden is on applicants to prove otherwise. Fitzgerald, supra.

It would have been obvious for a person having ordinary skill in the art to use JP'338's toner 1 having shape coefficients SF1 and SF2 of 148 and 123, respectively, as the toner in the image forming method disclosed by Anzai, and to use a fixing device without using a release oil in the fixing step in said method, because that person would have had a reasonable expectation of successfully obtaining an image forming method that provides fixed toned images on recording media without offset and without unpleasant odors as taught by JP'338.

The recitation "shape coefficient SF2 is selected to improve a desired toner fluidity between said first and second developing rollers" in the instant claims is a statement of intended use, which does not distinguish the method rendered obvious over the combined teachings of Anzai and JP'338. The recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention

and the prior art or in a process, a manipulative difference, in order to patentably distinguish the claimed invention from the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963). As discussed above, Anzai teaches a method that meets the steps recited in the instant claims but for the use of the particular toner recited in the instant claims. JP'338's toner has an SF2 of 123, which meets the SF2 limitation recited in the instant claims. JP'338 also teaches that "according to the electrophotographic toner of this invention, when treated in a copying machine as a powder, there is no problem in the fluidity [of the toner]." In other words, JP'338 teaches that its toner does not aggregate or stick to the components of the apparatus. Thus, the intended use recited in the instant claims does not result in a difference between the method recited in the instant claims and the method rendered obvious over the combined teachings of Anzai and JP'338.

13. Applicants' arguments filed on Nov. 24, 2003, with respect to the rejection set forth in paragraph 12 above, have been fully considered but they are not persuasive.

(1) Applicants assert that the references are "completely unrelated" and that "no person of ordinary skill in the art would have considered combining these references." Applicants assert that the "examiner can point to no motivation and suggestion in the references to urge the combination as alleged by the examiner." Applicants state that the examiner's reasons for combining the references are "completely unrelated to at least one objective of the claimed invention . . . and, therefore, is insufficient to support the alleged combination."

However, as discussed in the rejection, Anzai's method comprises, in addition to developing an electrostatic latent image with two developing rollers 61 and 62, the steps of transferring the developed toner image from the image carrier to a recording material, and fixing the transferred toner image to the recording material with a fixing device 25 to form a recorded fixed image on a recording material. These steps are also required in the method recited in instant claims 1 and 2. Anzai discloses that the fixing device 25 is composed of a heated roller 27 and a back-up pressing roller 26 to fix the toner image transferred to a paper sheet. In other words, Anzai's fixing device 25 uses heat and pressure to fix a toner image on a recording material, such as paper. As noted by

applicants, JP'338 also "uses heat and pressure to fix an image [toner] to recording media, such as paper." See applicants' response filed on Jun. 6, 2003, page 12, lines 14-19. Thus, both Anzai and JP'338 teach heat-fixing a toner image on a recording medium, such as paper, with a heat-fixing device by the use of pressure and heat. Accordingly, contrary to applicants' assertion, a person having ordinary skill in the art would have recognized that Anzai's imaging method comprises a heat-fixing step, and that the use of a heat-fixing device without using a release oil, as taught by JP'338, can readily be used in Anzai's heat-fixing step.

Moreover, the reasons to combine the references do not have to be those of applicants. As discussed in the rejection, JP'338 teaches a toner that not only meets the toner shape coefficients SF1 and SF2 limitations recited in instant claim 1 and 2 but also has the properties that Anzai teaches are desirable for use in Anzai's imaging method. JP'338 discloses the advantages of using its toner in electrophotographic imaging processes. See the rejection paragraph 12 above, sixth paragraph. Thus, a person having ordinary skill in the art would have found ample reason, suggestion, and motivation in the teachings of JP'338 and

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Anzai to use JP'338's toner and a fixing device without using a release oil in the image forming method taught by Anzai.

(2) Applicants assert that neither Anzai nor JP'338 teaches or suggests that the "shape coefficient SF2 is selected to provide a desired toner fluidity between said first and second developing rollers" as recited in instant claims 1 and 2. Applicants further assert that Anzai teaches away from the claimed invention because "Anzai expressly states that parameters (e.g., friction ratios) other than the shape coefficients should be set to provide improved image quality in a center feed developing system."

For the reasons discussed in the rejection set forth in paragraph 12 above, the recitation "shape coefficient SF2 is selected to provide a desired toner fluidity between said first and second developing rollers" is a statement of intended use that does not distinguish the method recited in the instant claims from the method rendered obvious over the prior art. JP'338 teaches that "according to the electrophotographic toner of this invention, when treated in a copying machine as a powder, there is no problem in the fluidity [of the toner]." In other words, JP'338 teaches that its toner does not aggregate or stick to the components of the apparatus. Moreover, there is no

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disclosure in Anzai that explicitly excludes of use of toners having the shape factors SF1 and SF2 as recited in the instant claims. Nor does Anzai disclose that the use of such toners are detrimental to its invention. The lack of disclosure in a reference is not a teaching away. Cf. Para-Ordnance Manufacturing, Inc. v. SGS Importers International, Inc., 73 F.3d 1085, 1090, 37 USPQ2d 1237, 1241 (Fed. Cir. 1995) (to teach away, a reference must state that it "should not" or "cannot" be used in combinations with the other reference.)

Accordingly, for the reasons discussed above and in the rejection set forth in paragraph 12 above, the rejection stands.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janis L. Dote whose telephone number is (571) 272-1382. The examiner can normally be reached Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Mark Huff, can be reached on (571) 272-1385. The central fax phone number is (703) 872-9306.

Any inquiry of papers not received regarding this communication or earlier communications should be directed to Supervisory Application Examiner Ms. Claudia Sullivan, whose telephone number is (571) 272-1052.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on

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access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JLD

Jun. 25, 2004

*Janis L. Dote*  
JANIS L. DOTE  
PRIMARY EXAMINER  
GROUP 1500  
1700